

SOUTH SUDAN - Towards Sustainable WASH Management at State and Local Government Level

1 Summary

The LGCP South Sudan Programme focuses on strengthening state and local government capacities in water, sanitation and hygiene (WASH) in Eastern Equatoria State. More specifically, the Programme assists state and local government level authorities in 1) translating national water policy to local policies and strategies, 2) identifying cost recovery mechanisms that will sustain WASH infrastructure and services (e.g. community ownership). Lastly, it supports awareness raising and lobbying among communities and decision-makers, as well as facilitation of intergovernmental cooperation in WASH.

2 Context Analysis

2.1 Introduction

According to the 2010 South Sudan Health & Household survey, current access to sanitation in South Sudan is 14.6% while hygiene awareness is one of the lowest in the world.¹ For water management, on average, approximately 20% of the rural population contributes (e.g. in kind, financially, through hands-on support) to operation and maintenance of their water supply. Data also indicates that between 30% and 50% of water points are not operational. These figures indicate the severity of the water and sanitation problems in South Sudan.² At the local level, service delivery is to a large extent dependent on NGOs. This leaves structural solutions for core obstacles to development largely unaddressed.

This Programme will focus on improving the capacity of state and local governments in Eastern Equatoria State (EES) to manage WASH challenges. According to the Local Government Act 2009, which functions as the legal framework for decentralisation, local governments are responsible for local service delivery, including the establishment and maintenance of water drainage facilities, supervising potable water, establishing and monitoring public toilets, supervising drinking places and the enactment of by-laws to regulate hygiene and sanitation services.³

¹ Government of the Republic of South Sudan (GRSS), *Water, Sanitation & Hygiene (WASH) Sector Strategic Framework* (2011) vii.

² UNICEF-WES/Nutrition South Sudan, *Knowledge, Attitudes and Practices Survey on Water, Sanitation, Hygiene and Nutrition South Sudan* (2009).

³ GOSS, *Local Government Act* (2009). Appendix III, Local government functions, part iv/v, Public Works and Health. GRSS, *Water, Sanitation & Hygiene (WASH) Sector Strategic Framework* (2011) 12.

The importance of local government in managing water and sanitation services is exemplified by the GOSS⁴ Water Policy of November 2007, as well as the WASH Strategic Framework of August 2011, which structures South Sudan's efforts to improve the country's WASH management.⁵ However, these policies are still limitedly processed to decentralised government levels and consequently implementation is poor.

2.2 Analysis of local government challenges

Since the end of the civil war in 2005, the international community and the Government of the Southern Sudan (GOSS) have focused primarily on strengthening the central government institutions located in Juba, in spite of a decentralised governmental structure consisting of national, state and a local level.⁶

Local government is formed by the county, which is further subdivided into payams, and – at the lowest administrative level – bomas. Contrary to the decentralisation framework, local government is faced with central government policies and strategies that trickle down only very slowly, and are insufficiently translated to local practice. Human and financial resources at state and local government level are insufficient for covering the human and financial resources needed to translate central policy into local realities.

Roles and responsibilities of the different layers of government are also often undefined or unclear. Additionally, local government administrators are transferred often, without sufficient systems in place to institutionalise administrative knowledge and skills.

More than six years of limited allocation of funds to all levels of South Sudan's government have resulted in huge backlogs of salary payments to local government officials and limited funding for local service delivery activities. Furthermore, the GRSS has enacted a package of austerity measures to balance the 98% loss in Gross National Income as a result of closing its oil export through Sudan.⁷

Whereas service delivery is the domain of the local government⁸, the international community has filled some of the gaps in service delivery to the communities. However, most of its programmes focus more on immediate relief than on sustainability and capacity development. The service delivery mandate is filled mostly by NGOs rather than by local governments, thus creating the risk of a services vacuum when NGOs leave. While sector coordination among international and national actors has improved in recent years, there are still numerous accounts of uncoordinated activities.

⁴ When referring to the Government of Southern Sudan, prior to independence on 9 July 2011, we use the abbreviation GOSS. When referring to the independent Government of the Republic of South Sudan, we use the abbreviation GRSS. This also concerns references to government documents, laws, etc.

⁵ GRSS, *Water, Sanitation & Hygiene (WASH) Sector Strategic Framework (2011)* vii. GOSS, *Water Policy (2007)* 15-17. The Strategic Framework stresses, amongst others, the: (1) Provision of technical and capacity development support to the counties to take responsibility for sanitation and hygiene promotion and, (2) Support to county authorities to enforce local by-laws to improve basic household sanitation services and (3), Capacity development of county staff to create an enabling environment in which local population, local governments and the private sector can manage quality water services.

⁶ OECD, *Report on International Engagement in Fragile States: Republic of South Sudan (2011)* 44.

⁷ United States Institute of Peace, *Oil and State Building in South Sudan: New Country, Old Industry (2011)* 10.

⁸ GOSS, *Local Government Act (2009)* Section 24: Primary Responsibilities of Local Government Councils.

The GRSS Ministry of Water Resources and Irrigation (GRSS MWRI) is mandated to address all water-related functions in collaboration with the GRSS Ministry of Housing & Physical Planning, GRSS Ministry of Health, the states and counties.⁹ The states and counties – through concurrent mandates – are responsible for operating and managing the facilities and delivering services.¹⁰ Responsibilities should be clarified and aligned at the policy as well as operational levels.

In Eastern Equatoria State, the Ministry of Housing & Public Utilities and its Water and Sanitation Directorate are responsible for WASH.¹¹ In the counties, the Ministry employs the Assistant Commissioner for WASH. The Assistant Commissioner is supported by a number of water technicians or inspectors and by pump mechanics at the payam level. Non-funded WASH positions include the WASH Committee at payam level, and the village water committees at boma level.¹² Where already in place and capacitated, these committees fulfil day-to-day maintenance and service provision needs.

Regarding WASH, several challenges are prevalent in EES:

- There is insufficient access to safe water. Important reasons for this are the organisational challenges that follow from incomplete policies and procedures, lack of an inclusive WASH database, inadequate funds and budgeting and planning skills, and complex intergovernmental mandates;
- Water facilities are not functioning due to poor management systems, as well as modest capacity of civil service and technical staff;
- High costs of using and maintaining public latrines, following insufficient planning and budgeting for maintenance;
- The insufficiency of WASH facilities generates inter-communal conflict over control and use of these facilities;
- Poor service delivery to communities due to insufficient staff capacity at state and county departments, as well as inadequate transport facilities and limited financial resources;
- Finally, there is limited community awareness on WASH-related issues, and community participation and ownership of WASH facilities is low.

Notwithstanding the fact that service delivery is the mandate of local governments, and their roles and responsibilities for WASH are laid down in the GOSS Water Policy as well as the GRSS WASH Strategic Framework and the GOSS Local Government Act, local governments do not have sufficient means or capacity to fulfil their mandate and provide quality services to the local communities.

Although some challenges identified in this section manifest themselves as technical or infrastructural, the lack of proper management systems, regulatory frameworks at local level and insufficient HR capacity and awareness are often important root causes.

⁹ GRSS, *Water, Sanitation & Hygiene (WASH) Sector Strategic Framework (2011)* 1. MWRI 1) leads development of policies, strategies, guidelines, regulations and standards, 2) ensures a coordinated development and management of water resources on one hand, and 3) supervises provision and sustainability of water and sanitation services on the other.

¹⁰ GRSS, *Water, Sanitation & Hygiene (WASH) Sector Strategic Framework (2011)* 12.

¹¹ The Directorate consists of three departments: 1) Rural Water Supply, 2) Urban Water Supply, 3) Irrigation & Water Resource Management.

¹² GRSS, *Water, Sanitation & Hygiene (WASH) Sector Strategic Framework (2011)* 25.

Without adequate management systems in place and without sufficient staff capacity, material investments will be unsustainable. This Programme will target the capacity of state and local government to translate national level policies to the state and county level in order to develop and better manage the WASH facilities and services and meet local needs in a sustainable manner.

2.3 Analysis of the political environment

After decades of civil strife between the Government of Sudan and the Sudan People's Liberation Movement and Army (SPLM/A), South Sudan became an independent country in July 2011. So far the independence of South Sudan has not brought peace and stability. Continued dispute over the ownership of the vast oilfields in the Sudan and South Sudan border area has led to several military encounters in the initial months of 2012.

South Sudan has a decentralised government structure. As stipulated in the interim constitution and the subsequent transitional constitution, three levels of government exist: national level, state level, and local level. The legal framework for the decentralisation process and the roles and responsibilities of the three layers of government is outlined in the 2009 Local Government Act. Implementation of the Local Government Act is guided by the 2009 Work Plan.

At central government level the Local Government Board (LGB) functions as an advisory organ to the cabinet of the president. As part of the executive, the LGB is responsible for the overall implementation of the Local Government Act.¹³ In each of South Sudan's states, State Ministries of Local Government are responsible for furthering the enactment of the Local Government Act, coordinating the human resources capacity in the counties necessary for local service delivery responsibilities, and coordinating budgeting and planning procedures.

On the one hand the formal decentralisation process is troublesome, while on the other the practical need for service delivery and sufficient government capacity at the decentralised level is not disputed. There is general agreement amongst government and civil society actors that given the challenges faced on the ground, the capacity of local government should be improved to deliver basic services and realise its mandate in providing peace and stability at the local level.

2.4 The defined target group

The LGCP target group in South Sudan consists of the Eastern Equatoria State (EES) Ministry of Housing & Public Utilities and the EES Ministry of Local Government, as well as two of EES' eight counties, namely Torit and Kapoeta North. LGCP South Sudan Programme focuses on two government levels (state and county) due to the concurrent, intergovernmental mandates in WASH, and related challenges. The direct beneficiaries of this Programme are the civil servants at the two state ministries, the two counties, as well as the payam and boma councils that are located within the counties of Torit and Kapoeta North.

¹³ GOSS, *Local Government Act*, (2009) Section 124, Functions and Duties of the Local Government Board.

Eastern Equatoria State Ministry	
State Ministry of Housing and Public Utilities	
State Ministry of Local Government	
Local government	Population¹⁴
Kapoeta North County	103,084
Torit County	99,740

2.5 Analysis of other relevant actors

2.5.1 Policies and actions of the national government

The GRSS MWRI is mandated to address all water-related functions in collaboration with the states and counties. Guiding policies are the Water Policy of 2007 and the WASH Strategic Framework of August 2011. The Strategic Framework outlines plans for institutional reform of the WASH sector. It is seen as a critical step to put the principles of the Water Policy of 2007 into practice. Although the practical launch of the Framework took place in February 2012, translation of the documents into policies at the lower levels of government is incomplete causing a disconnect between the national level of government and the water departments and institutions at the state and county level.

Close collaboration will be sought with the GRSS MWRI to align interventions with the national policy framework. We will also work through the LGB to disseminate manuals, training guides and best practices to increase the reach of our Programme.

2.5.2 Policies and actions of the Dutch government / Embassy of the Kingdom of the Netherlands

The focus of this Programme is in line with the official Dutch policy on development assistance.¹⁵ Additionally, the Programme corresponds with the Ministry's objectives regarding development assistance in the field of water¹⁶ and the thematic and geographic focus of the intended bilateral water programme of the EKN in Juba.¹⁷ VNG International will synergise with the EKN to harmonise efforts.

2.5.3 Relevance

In 2010 and 2011 EES has experienced a severe lack of adequate water for domestic use and livestock. Provision of safe water for people and their livestock constitutes a major challenge for GRSS, with implications for health and livelihoods. State and local governments are confronted with limited financial and human resources, which severely limits their capacity to provide quality water and sanitation services.

¹⁴ Sudan Census Priority Results of 8 April 2009.

<http://ssnbs.org/storage/Sudan%20Census%20Priority%20Results%20English%2008%20April%202009.pdf>

¹⁵ Netherlands Ministry of Foreign Affairs, *Letter to the House of Representatives presenting the spearheads of development cooperation policy* (2011).

¹⁶ Netherlands Ministry of Foreign Affairs, *Kamerbrief Water voor Ontwikkeling* (2012).

¹⁷ EKN in Juba, *Multi-Annual Strategic Plan South Sudan 2012 – 2015* (2012) 15. GRSS MWRI/EKN, *Bilateral Programme Water Sector South Sudan – Planning for Implementation / Report of a Mission* (2011) 3.

Important gaps in WASH sector development include management capacity and the availability of regulatory frameworks. A disconnect exists between policies and strategies developed at the national level and the efforts of state and local governments to address local demands. Besides inadequate financial resources and infrastructure, the limited capacity of local government staff severely impedes the provision of quality WASH facilities.

Furthermore, through focussing on capacity development of state and local governments in EES to improve the provision of WASH services, this Programme not only addresses crucial development challenges. It also fits the broader framework of South Sudan's national WASH policy, which stresses the importance of decentralised government institutions for ensuring an enabling environment for development and for sustained and accelerated services provision.¹⁸

3 Tailor-made LGCP South Sudan Programme

3.1 Specific programme objective

Increased capacity of selected South Sudanese state and local governments to provide services in the area of Water, Sanitation and Hygiene (WASH).

3.2 Programme results

The results to be achieved in the LGCP South Sudan Programme are presented below. How these results relate to the five capabilities underlying the LGCP framework is also explained.

Result 1: *Increased capability of selected South Sudanese state and counties to develop and agree on WASH policies and/or strategies (including cost recovery mechanisms for WASH services)*

LGCP focuses on assisting state and targeted local governments of EES to improve their capacity to translate national WASH policies and strategies to local realities and plans in consultation and in concert with other levels of government and key stakeholders. Additionally, attention is paid to introducing alternative cost-recovery mechanisms. These mechanisms contribute to ensuring the financial sustainability of the WASH services. Finally, target state and local government actors are supported in developing lobbying and awareness-raising strategies.

This leads to five *results attributable to the LGCP* that will contribute to developing the target state and local governments' capability *to act and commit* to their development objectives:

- 1.1 Target state and counties have translated, in a participatory manner, national level WASH policies into state and county WASH policies and/or strategies.

Target state and local governments have increased understanding of:

- 1.2 Existing WASH related policies and legislation;
- 1.3 Alternative cost-recovery mechanisms to ensure the sustainability of WASH services;

¹⁸ GRSS, *Water, Sanitation & Hygiene (WASH) Sector Strategic Framework* (2011) vii.

1.4 The division of intergovernmental roles and responsibilities in the WASH sector.

Target state and local governments have improved capacity to:

1.5 Apply lobby & advocacy methods to address challenges in WASH service delivery and promote ownership and commitment.

Result 2: *Increased capability of selected state and local governments to implement and operationalise state and county WASH policies and/or strategies*

Support is provided to state and targeted local governments of EES to translate local policies and strategies to practical realities on the ground. This means that, in consultation and collaboration with end-user communities, implementation plans for WASH service delivery are developed. Furthermore, the various cost-recovery modalities identified under Programme result 1 are tested for local relevance and instruments are developed to ensure that WASH services can be delivered in a sustainable manner. This builds the capability of local governments *to deliver on development objectives*.

This leads to the following results directly attributable to LGCP:

Target state and local governments have improved capacity to:

- 2.1 Develop implementation plans for WASH policies and/or strategies;
- 2.2 Apply cost-recovery mechanisms for WASH services;
- 2.3 Apply community participation methods on WASH maintenance and management.

3.3 Programme activities

The LGCP South Sudan Programme will draw on the colleague-to-colleague approach. This approach fosters horizontal learning, i.e. learning from peers. Expertise will be largely provided by experts coming from the same professional background as the target group, e.g. (former) (local) government officials, water technicians or politicians. These experts may come from the Netherlands, but also from neighbouring countries such as Uganda, or from South Sudan itself. This approach enables tailor-made exchange of expertise at the professional level, e.g. through benchmarking best practices, practical exchanges and shadowing. Transfer of knowledge takes place through coaching and learning by doing rather than through a 'teacher-pupil' relationship.

The platform function of local government associations is an important instrument in developing local government capacity. Since no local government association exists in South Sudan, the Programme will establish a 'community of practice' in which learning content and experiences are shared among colleagues from the state ministries, counties and payams, e.g. through exchange, interactive seminars and presentations. Additionally, exchange of experience and expertise may be promoted through study visits in cooperation with relevant VNG International programmes in Uganda, South Africa and Ghana.

VNG International is well aware of the risk that external experts tend to provide advice, training courses and materials that reflect only their own knowledge and appreciation of the foreign situation, but which are insufficiently tuned to local needs and context. We will therefore *combine international, local and regional expertise* and assess methods carefully *to prevent blueprint models*.

VNG International will prepare activity work plans annually through stakeholder consultation, to be submitted to the Netherlands Ministry of Foreign Affairs for approval. These activity work plans present a concrete description of the activities foreseen. Below a brief description of the activities that fall under both Programme results is provided.

Result 1: *Increased capability of selected South Sudanese state and counties to develop and agree on WASH policies and/or strategies (including cost recovery mechanisms for WASH services)*

The activities under Programme result 1 aim at supporting the target state and counties in the development of WASH policies and/or strategies that are aligned with national policies and are sensitive to local needs. Activities address the capacities of state, county and payam-level staff responsible for strategy and policy development, participatory planning, budgeting and management of WASH service delivery. Workshops are organised on the assessment of and familiarisation with intergovernmental roles and responsibilities for the various WASH functions, and translation of national WASH regulations and policies to meet local realities.

Result 2: *Increased capability of selected state and local governments to implement and operationalise state and county WASH policies and/or strategies*

The activities under Programme result 2 focus on supporting the target state and local governments in implementing the WASH policies and strategies, as well as piloting the various cost recovery modalities. Trainings on planning, budgeting and human resources management are important channels of support. Additionally, through on-the-job coaching on community participation methods the target state and local governments are assisted in mobilising and involving community groups in WASH maintenance and management, and in defining WASH policies and strategies. Besides on-the-job coaching and training input is provided through the organisation of workshops, study visits to other local governments, and support to the establishment of village WASH committees.